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Counsel for Statek Corporation

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
In re:	:	Chapter 11
	:	
COUDERT BROTHERS LLP,	:	Case Nos. 06-12226 (RDD)
	:	
	:	
Debtor.	:	
	:	
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**APPELLANT'S STATEMENT OF
ISSUES TO BE PRESENTED ON APPEAL**

Statek Corporation ("Statek" or "Appellant"), having filed a Notice of Appeal¹ on September 6, 2013, from orders of the United States Bankruptcy Court for the Southern District of New York (Drain, J.) (the "Bankruptcy Court") entitled (i) Order On Remand Denying Statek

¹ On September 6, 2013, immediately prior to filing its Notice of Appeal (Dkt. 1564), Statek also filed its Motion for Reconsideration of the Court's (I) Order on Remand Denying Statek Corporation's Motion for Reconsideration and (II) Memorandum of Decision on Remand on Statek's Motion for Reconsideration of Claim Disallowance Order (the "Motion for Reconsideration") (Dkt. 1562). Although the Motion for Reconsideration tolls the time in which the Notice of Appeal, Statement of Issues on Appeal and Designation of Record on Appeal are due under Federal Rules of Bankruptcy Procedure 8002(b)(4) and 8006, in an abundance of caution, Statek has filed these pleadings now to ensure that they comply with the Federal Rules of Bankruptcy Procedure under all circumstances.

Corporation's Motion For Reconsideration, dated August 23, 2013 (Dkt. 1552) (the "Order"), and (ii) Memorandum Of Decision On Remand On Statek's Motion For Reconsideration Of Claim Disallowance Order, dated August 19, 2013 (Dkt. 1550) (the "Memorandum Decision" and together with the Order the "Appealed Orders") intends to present the following issues on appeal:

Whether the Bankruptcy Court erred in issuing the Appealed Orders disallowing Statek's claim, when the Bankruptcy Court concluded that Statek was precluded from arguing that Connecticut law applied to the consideration of its proof of claim because it had purportedly failed to raise the issue prior to filing its Motion for Reconsideration of the Court's Order Disallowing Claim #239 (Dkt. 1210) (the "First Reconsideration Motion").

Whether the decision of the Second Circuit Court of Appeals in *In re Coudert Bros. LLP*, 673 F.3d 180 (2d Cir. 2012), explicitly or implicitly overruled the Bankruptcy Court's alternative ruling by ordering the Bankruptcy Court to apply Connecticut choice of law rules in deciding Statek's First Reconsideration Motion.

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Dated: New York, New York
September 20, 2013

Respectfully submitted,
/s/ J. Eric Ivester
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